

Filed 4/18/12

CERTIFIED FOR PUBLICATION
IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT
DIVISION SIX

THE PEOPLE,

Plaintiff and Respondent,

v.

HARLEY PAUL FINNEY,

Defendant and Appellant.

2d Crim. No. B230471
(Super. Ct. No. F449523)
(San Luis Obispo County)
ORDER MODIFYING OPINION
AND DENYING REHEARING
(No Change in Judgment)

THE COURT:

The opinion filed herein on April 3, 2012, is modified as follows:
On page 2, delete the last sentence of the first paragraph beginning with the word "Appellant" and ending with the word "unconscious." And insert in its place:
Appellant tried to join the fray but was stopped by Robinson, who choked appellant unconscious.

The petition for rehearing is denied.

No change in judgment.